

GUADALUPE ARENAS VARGAS,
Individually and As Representative of the
Estate of MARTIN ANASTACIO REYES
OSUNA, Deceased, and As Next Friend of
ZAID MARTIN REYES ARENAS; JUANA
SYLVIA OZUNA GARCIA; and MARTIN
REYES ADAME

KIEWIT LOUISIANA CO., MASSMAN
CONSTRUCTION CO., and TRAYLOR
BROS., INC., a Joint Venture d/b/a KIEWIT
MASSMAN TRAYLOR CONSTRUCTORS;
KIEWIT LOUISIANA CO.; MASSMAN
CONSTRUCTION CO.; TRAYLOR
BROS., INC; KIEWIT ENGINEERING CO.,
and MODJESKI AND MASTERS, INC.

JURY TRIAL DEMANDED

Pending before the Court is Defendant Modjeski & Masters, Inc. Motion to Dismiss under Rule 12(b)(6) (Doc #63) and Plaintiffs' response (Doc #__). The Court, after having carefully considered the motion, response, the pleadings, and applicable law, is of the opinion that Defendant's motion should be DENIED. Accordingly, it is therefore,

It is so **ORDERED**.

SIGNED at Houston, Texas this _____ day of _____, 2011.

Keith P. Ellison
United States District Judge